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NOTE VERBALE DATED 1 AUGUST 1991 FROM THE PERMANENT REPRESENTATIVE OF THE NETHERLANDS TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of the Kingdom of the Netherlands to the United Nations presents his compliments to the Secretary-General of the United Nations and with reference to his note of 3 July 1991 has the honour to transmit the following information on the implementation by the Government of the Netherlands of paragraph 4 of Security Council resolution 700 (1991).

The laws and regulations of the Kingdom of the Netherlands fully meet the obligations set out in Security Council resolution 687 (1991), including paragraph 24, in Security Council resolution 700 (1991), as well as in the previous relevant mandatory decisions by the Council.

The Government of the Netherlands complies strictly with the arms embargoes agreed upon within the framework of the United Nations as adherence to these embargoes is one of the main criteria the Government of the Netherlands uses for its arms export policy. The legal basis for these criteria is provided by the Import and Export Act of 1962 and the Decree of 1963 concerning the Export of Strategic Goods, which implements the aforementioned Act. Sanctions are provided for in the event of transgression of these statutory provisions.

Promotion of the international rule of law is a central aim of this legislation and has been qualified by the Netherlands Constitution as a major responsibility of the Government.

It should be noted that arms exports to Iraq have been banned by the Government of the Netherlands since 1980, as one of the other main criteria of the Netherlands arms export policy concerns a ban on arms exports to areas of potential conflict.

Furthermore, the following more specific regulations were adopted, in order to implement the Security Council resolutions and the European Community regulations based upon these resolutions:

- The import and export regulation Iraq-Kuwait of 9 August 1990. This regulation was amended on 2 March 1991 and finally replaced by the Import and Export Decree concerning Iraq, of 18 March 1991.

- The sanctions decree on services Iraq-Kuwait, of 14 January 1991, which covers those elements of paragraph 24 of resolution 687 (1991) that are not covered by the other statutory provisions and regulations of the Netherlands.